

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

07-CR-193-A

v.

NOTICE OF UNOPPOSED MOTION

VEDRAN ZAVISIC,

Defendant.

UNOPPOSED MOTION BY:

Phillips Lytle LLP, by Timothy W. Hoover, counsel
for Defendant Vedran Zavisic.

DATE/TIME/HEARING:

Before The Honorable H. Kenneth Schroeder, Jr.,
United States Magistrate Judge, United States
District Court, Western District of New York,
United States Courthouse, 2 Niagara Square,
Buffalo, NY 14202, on the papers.

SUPPORTING PAPERS:

Attached unopposed motion of Timothy W. Hoover,
dated February 8, 2013.

RELIEF REQUESTED:

Entry of an amended scheduling order.

**WAS CONSENT OF OPPOSING
COUNSEL SOUGHT?:**

Yes.

**WAS CONSENT OF OPPOSING
COUNSEL OBTAINED?:**

Yes.

PROPOSED ORDER PROVIDED?:

Yes – via electronic mail to
schroeder@nywd.uscourts.gov.

(Notice of motion continued on page ii . . .)

(. . . Notice of motion continued from page i.)

DATED:

Buffalo, New York, February 8, 2013.

PHILLIPS LYTLE LLP

/s/Timothy W. Hoover

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

07-CR-193-A

v.

**DEFENDANT'S UNOPPOSED
MOTION FOR ENTRY OF AN
AMENDED SCHEDULING ORDER**

VEDRAN ZAVISIC,

Defendant.

Defendant Vedran Zavisic moves the Court to enter an amended scheduling order, with an adjustment of each current due date for approximately six weeks, for the reasons set forth below.

At the conclusion of the detention hearing on September 28, 2012 (Minute Entry for Sep. 28, 2012 (Docket #N/A (Sep. 28, 2012))), the Court set a case schedule for the filing of motions, which it memorialized in a scheduling order (Docket #5 (Sep. 28, 2012)). Subsequently, the Court granted, by Orders at Docket #10, 11, a subsequent unopposed motion (Docket #8) to amend the scheduling order. Motions are presently due on February 8, 2013.

Since the amendment of the scheduling order, the parties have undertaken a variety of efforts to allow them to proceed to motions and to litigate the matter, if necessary, while assessing whether a resolution can be reached. Specifically, counsel have met again to discuss the matter and the litigation and/or resolution of the case, and exchanged information. Various discovery requests remain pending as the government continues to evaluate the matter. The Defendant has continued his research and preparation of pretrial motions. And, the parties continue to explore a resolution. As such, a further amendment of the schedule is justified and

supported by good cause. We jointly submit that an extension of the operative dates for a period of approximately six weeks is appropriate, as set forth in the proposed order that accompanies the motion.

Counsel for the government joins the motion and does not oppose the motion or the entry of an amended scheduling order.

This is the second such motion. No additional extension motions are contemplated at this time.

While Defendant has asserted, and continues to assert, his rights to a speedy trial, given the above, all parties consent to the exclusion of time for Speedy Trial Act purposes, from February 8, 2013 to the revised due date for the filing of motions, as is reflected in the proposed order that is being provided to the Court.

For all these reasons, we request that the Court grant the motion and enter an order accordingly.

DATED: Buffalo, New York
February 8, 2013

Respectfully submitted,

PHILLIPS LYTTLE LLP

/s/Timothy W. Hoover

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v.

CERTIFICATE OF SERVICE

VEDRAN ZAVISIC,

Defendant.

The undersigned certifies that a copy of the foregoing was served on the following, by the means indicated, on February 8, 2013:

George C. Burgasser (via CM-ECF)
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